

REMARKS

The Applicant appreciates the time taken by the Examiner to review the Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed September 12, 2011 ("Office Action"). This Reply encompasses a bona fide attempt to address the rejections raised by the Examiner. Pending claims 26-45 recite subject matter not reached by the art of record and therefore should be allowed. Accordingly, Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Summary of rejections and amendments

The Examiner rejected claims 26-45 under 35 U.S.C. §103(a). No claims are amended herein. No claims have been canceled or newly added. Claims 26-45 are therefore pending in the application.

Rejections under 35 U.S.C. § 103

Citations to patent application publication and priority document

The Examiner rejects claims 26-45 over Chong in view of Chandra. Chong, which was filed on January 10, 2002, can only be considered prior art to the extent that the subject matter of the non-provisional application was also disclosed in the provisional patent application ("PA", Serial No. 60/263,574, filed January 22, 2001) from which Chong claims priority.

The Applicant points out that, while the non-provisional application claims priority from the provisional application, the non-provisional application does not incorporate the disclosure of the provisional application by reference (see paragraph 0001). Therefore, the Examiner must show that the limitations of the instant claims are disclosed not in the provisional application alone, but in both the provisional application and the non-provisional application. Because the provisional application is not incorporated by reference into the non-provisional application, subject matter which is disclosed only in the provisional application is only available as of the date the public gained access to the disclosure through publication of the non-provisional application on December 5, 2002 (see M.P.E.P. 2127.I). Similarly, subject matter which is disclosed only in the non-provisional application is only available as of the application's filing date, December 5, 2002.

Examiner's interpretation of the present invention

The Examiner provides his interpretation of the invention claimed in the instant application at page 3 of the office action. The Applicant respectfully points out that this interpretation is believed to be incorrect. For instance, the Examiner characterizes the invention as a means to deliver service and device specific applications, wherein a developer uses a development environment to create service-specific templates, wherein the developer selects options from a master template to create a design flow of a device specific application, and wherein a module transforms the device specific design flow into device specific presentation data.

The Applicant points out that the invention includes systems, methods and products for generating service- and device-specific templates, wherein unformatted data is examined to identify name-value pairs in the data, wherein the identified name-value pairs are presented to a user, wherein a set of the identified name-value pairs are retained based on user input, and wherein building blocks corresponding to the retained name-value pairs are selected from the master template and assembled into service- and device-specific templates. There is no creation of a design flow by a developer/user, and there is no transformation of a device specific flow into device specific presentation data.

Disclosure of Chong

As noted above, the Examiner cites Chong as disclosing most of the limitations of the claims. Chong (as well as the PA) discloses systems and methods for visually building applications (see abstract). These systems and methods utilize an interactive development/design environment (IDE) that provides a visual representation of an interaction process model which allows users to drag and drop application components, thereby building an application (see paragraph 0298 and figure 27 of Chong and figure 6-9 of PA). In particular, Chong's system is employed by a user to graphically build multi-channel, workflow-based applications. "Multi-channel" refers to the ability to access the applications using, for example, web, wireless, or phone channels (see paragraph 0007), and "workflow" describes business logic that includes a plurality of states and a plurality of transitions linking the states (see paragraph 0032).

Substance of rejection

Regarding claim 26, the Examiner asserts that Chong discloses "providing a master template which contains a plurality of building blocks, wherein each of the plurality of building blocks defines formatting for a single type of name-value pair for presentation on a single device type". More specifically, the Examiner states that paragraph 0298 and figure 27 of Chong (and Figure 6-9 of PA) disclose creating the visual representation of an application in a development environment showing the interaction flow of the application from start to end. While Chong might be reasonably construed to teach that the IDE provides building blocks for workflow-based applications, it makes clear that "workflow" describes business logic having multiple states and transitions between the states (paragraph 0032). Such building blocks clearly do not each define formatting for a single type of name-value pair for presentation on a single device type, as recited in the claim. The Examiner cites paragraph 0372 of Chong as disclosing name-value pairs, but these name-value pairs are parameters of variables that are dragged and dropped within the IDE – even if the variables could be construed as the recited building blocks, they do not format Chong's name-value pairs for presentation, as recited in the claim. As to the disclosure of PA, the Examiner cites, e.g., "page 13, Covigo Mobile Application Engine". The Applicant points out that PA describes the Covigo Mobile Application Engine as "a single, comprehensive architecture for delivering mobile applications and services", which appears to teach away from the use of building blocks to generate multiple templates, each of which is specific to a particular service and a particular device. The Examiner also cites page 56, second paragraph, which teaches that the Covigo Engine uses previously defined templates to generate device interfaces, which is not the same as using building blocks corresponding to name-value pairs to generate templates. The Examiner further cites figure 6-13 and pages 41-42, which describe a componentization wizard that exposes the parameters of an application component, but fails to teach using building blocks that format name-value pairs for presentation, as recited in the claim. (The Applicant notes that the Examiner also cites paragraph 0015 as teaching that the Covigo Engine generates output specific to a connecting device, but there is no paragraph 0015 in PA, so this reference is not applicable.) In view of the foregoing, the Applicant submits that the cited art fails to teach or suggest this limitation.

Regarding the limitation of receiving or retrieving unformatted data from the storage device, the Examiner cites paragraphs 0017, 0277, 0298, 0310-0317 and 0367 of Chong and pages 13-15 of PA. The Applicant points out that paragraph 0298 says nothing about receiving/retrieving any type of data, and paragraphs 0310-0317 discuss various "primitives", which appear to be application components, rather than unformatted data (the Applicant notes

that the data view primitives of paragraph 0310 explicitly contradict the limitation of containing no information on formatting the specific data service for presentation). Paragraph 0017 teaches that XML can be used to implement a runtime engine, but says nothing about receiving/retrieving unformatted data. Paragraph 0277 discusses web services, but not receiving/retrieving unformatted data. Paragraph 0367 teaches that a system 14 can integrate with a wide range of data sources, including XML, but does not teach receiving/retrieving unformatted data. Similarly, pages 13-15 of PA discuss the modules that are used to design a workflow-based application, but fail to teach that unformatted data is received/retrieved as claimed. The Applicant notes that the Examiner's discussion of the PA disclosure does not state that it teaches receiving/retrieving unformatted data, so the teaching of Chong only has priority from January 18, 2002, and consequently is not prior art with respect to this limitation.

As to the limitation of examining the unformatted data to identify name-value pairs which are present in the data, the Examiner cites figure 17 of Chong and figure 6-13 and pages 41-42 of PA. The Examiner states that figure 17 of Chong shows "a sample design of an application with elements each containing a name and a value that is shown when a user clicks on said element". The Applicant points out that figure 17 is a GUI 400 that provides a facility to create and manage the files and objects in an application (paragraph 0211). There is no teaching that the GUI examines unformatted data. While the GUI may list files, data sources, model variables, or object methods for the application, there is no teaching that the GUI identifies name-value pairs in unformatted data as recited in the claim. As to figure 6-13 and pages 41-42 of PA, the Examiner merely states "componentization wizard, components are saved in an XML repository". While these application components may be saved in an XML repository, they are not unformatted data which is examined to identify name-value pairs. The cited art therefore fails to teach this limitation.

As to the limitation of "wherein each of the service/device-specific templates is specific to a corresponding device or a device type and to the specific data service associated with the unformatted data", the Examiner states that this is taught by page 13 of PA. Specifically, the Examiner states: "Covigo Mobile Application Engine. The engine converts templates designed in the visual development studio to deliver applications and services." The Applicant points out that the disclosed system does not generate templates for converting unformatted data, as recited in the claim, but instead provides a "comprehensive architecture for delivering ... complex enterprise processes ... to users' wireless devices". The Applicant respectfully submits that these are very different things. The Applicant also notes that, as to this limitation, the Examiner cites only the disclosure of PA. Although the Examiner refers to "par. 0015, 'Covigo

Engine ...’ “, the Applicant points out that paragraph 0015 of Chong does not contain this language, so this apparently refers to PA. As noted above, PA is not incorporated or included by reference in Chong, so teachings that are found in PA, but not in Chong (as is apparently the case here) are only effective as of the date the public gained access to PA (the date of publication of Chong), which is after the priority date of the instant application. The Examiner has therefore failed to show that this limitation is taught by the prior art.

As to the limitations of retaining a set of the name-value pairs based on user input, selecting building blocks from the master template containing information on formatting the set of the name-value pairs for presentation of the specific data service on a plurality of device types, and assembling the building blocks selected from the master template into one or more service/device-specific templates, the Examiner acknowledges that these are not taught by Chong, but asserts that they are taught by Chandra.

The Applicant notes that the Examiner states that these limitations are interpreted to mean that “a user is selecting from a list of building blocks in order to create his or her own specific application.” The Applicant points out that this interpretation is incorrect and disregards the specific language of the claim. First, the user does not select building blocks – the computer selects building blocks from the master template based on the retained set of name-value pairs. These name-value pairs were identified in the unformatted data by the computer. While the user may provide input as to which of the computer-identified name-value pairs are retained, the pairs are selected by the computer. The Applicant further points out that, in the invention, neither a user nor a computer is creating an application – the computer is creating templates that provide formatting for the name-value pairs identified (by the computer) in the unformatted data (not in a set of application components).

Based on the Examiner’s interpretation of the claim language, the Examiner states that Chandra teaches the claim limitations that are not taught by Chong. More specifically, the Examiner states that Chandra “discloses the concept of selecting building blocks from a list to incorporate into a transportable application” (citing paragraphs 0443-0467). While Chandra does teach selecting building blocks (e.g., “approval list”, “discussion”, “file sharing”, etc.), it is clear that these building blocks are each manually selected by a user, and are not selected based on a retained set of name-value pairs, as recited in the claim (see: paragraph 0445, user selects Insert Building Block link; paragraph 0460, user selects desired building block). Further, it is clear that the building blocks of Chandra do not contain information on formatting the set of the name-value pairs for presentation of the specific data service on a plurality of device types, as recited in the claim (see: paragraph 0446, approval list building block allows participants to

respond with approvals; paragraph 0447, discussion building block captures discussion between participants; paragraph 0448, file sharing building block enables versioning; etc.). It is therefore apparent that Chandra fails to teach or suggest these limitations that are admittedly absent from Chong's teaching.

Consideration of invention and prior art references "as a whole"

M.P.E.P. 2141 sets forth examination guidelines for determining obviousness. These guidelines specify that, in ascertaining the differences between the claimed invention and the prior art, both the invention and the prior art must be considered as a whole. The Examiner cannot simply determine whether individual differences between the invention and the prior art would have been obvious, but must instead determine whether the claimed invention as a whole would have been obvious. The Applicant respectfully submits that the Examiner's reasoning for the rejections as set forth in the Office Action addresses individual limitations, taken out of the context of the invention as a whole. In other words, the Examiner has divided the invention into its individual limitations and has determined that those limitations, individually, are obvious.

For instance, the Examiner reasons that Chong discloses a master template containing building blocks, but divorces this from the limitation that each of the building blocks must define formatting for a single type of name-value pair for presentation on a single device type. Similarly, the Examiner asserts that Chong discloses name-value pairs, but separates this from the claim limitation that the name-value pairs are present in data that corresponds to a specific data service and that contains no formatting information. The Applicant submits that the Examiner should have considered the invention as a whole (i.e., as a method for generating service/device-specific templates based on name-value pairs in unformatted data and corresponding building blocks selected from a master template) as compared to the prior art as a whole (e.g., as Chong's method for visually building a workflow-based application using a set of application components to enable delivery of complex enterprise processes to wireless devices). The Applicant respectfully submits that such an "as a whole" comparison results in substantial distinctions between the claimed invention and the prior art, and that when the application is examined in accordance with the M.P.E.P., the claimed invention is not obvious from the prior art.

Summary

For at least the reasons set forth above, the Applicant respectfully submits that claim 26 is patentably distinct from the prior art. Because the remainder of the claims in the application include limitations similar to those discussed above, they are believed to be patentably distinguished from the prior art as well. The Applicant therefore requests that the rejections be withdrawn, and that the claims be allowed.

Conclusion

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include any acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims 26-45. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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